

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Richard Ramsdell, an individual, on behalf of
himself and others similarly situated,

Plaintiffs,

v.

Lenscrafters, Inc., et al.,

Defendants.

NO. C 03-02652 JW

**ORDER GRANTING JOINT MOTION
FOR PRELIMINARY APPROVAL OF
PROPOSED SETTLEMENT; ORDER
REGARDING NOTICE OF CLASS;
ORDER REGARDING PLAINTIFFS'
MOTION FOR AWARD OF ATTORNEY'S
FEES AND COSTS**

Currently before the Court are the Parties' Joint Motion for Preliminary Approval of Proposed Settlement and Plaintiffs' Motion for Preliminary Approval of Attorney's Fees and Costs. The Court called the case on December 5, 2005. The parties' appearances were excused.

After careful consideration of the papers submitted in connection with the Motions and with no opposition, the Court hereby orders as follows:

a) The Parties' Joint Motion for Preliminary Approval of the Stipulation of Settlement attached hereto as Exhibit 1 is hereby GRANTED;

b) The Court approves the following schedule:

Notice Mailed to Class Members: December 21, 2005

Deadline for Challenges, Opt-outs, and Objections: January 31, 2006

Final Approval Papers Filed: February 13, 2006

Final Approval Hearing: February 27, 2006

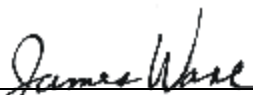
Settlement Proceeds Mailed To 10 days after running of appeal

Claims Administrator: period or final appeals, whichever is later.

- 1 c) A fairness hearing shall occur on **February 27, 2006, at 9:00 a.m.** on the question of
2 whether the proposed settlement should be finally approved as fair, reasonable and
3 adequate as to the members of the Settlement Class;
- 4 d) The Court approves the form and content of the proposed Notice of Settlement and Final
5 Approval Hearing, which includes notice to the Settlement Class of Plaintiffs' Motion for an
6 Award of Attorney's Fees;
- 7 e) The Court approves the form and content of the proposed Claim Form and Opt Out Form
8 and instructions;
- 9 f) The Court orders the mailing of the Notice of Settlement and Final Approval Hearing;
10 Claim Form; Opt Out Form and instructions as provided in the Stipulation of Settlement
11 attached hereto as Exhibit 1;
- 12 g) The Court preliminarily approves the Stipulation of Settlement attached hereto as Exhibit 1;
- 13 h) The Court preliminarily certifies the class for purposes of settlement only;
- 14 i) The Court approves settlement administration services to be provided by Rosenthal &
15 Company in the manner provided in the Stipulation of Settlement attached hereto as Exhibit
16 1;
- 17 j) The Court preliminarily approves the application for payment of reasonable attorneys' fees
18 and costs to Class Counsel; and
- 19 k) The Court preliminarily approves the payment of enhancement payments of Ten Thousand
20 Dollars (\$10,000) to the Class Representative.

21 None of the dates set in this Order may be changed without an order of the Court made after a
22 motion is duly filed and made pursuant to the local rules of this Court.

23
24 Dated: December 5, 2005



JAMES WARE
United States District Judge

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

Brian Christopher Sinclair bsinclair@rutan.com
Eric Sternberger esternberger@tlsgroup.com
James L. Morris jmorris@rutan.com
Paul Sheldon Sanford P4762468@aol.com
Peter C. Lagarias pcl@tlsgroup.com
Robert Samuel Boulter rsb@tlsgroup.com

Dated: December 5, 2005

Richard W. Wieking, Clerk

By: /s/ JW Chambers

**Ronald L. Davis
Courtroom Deputy**